

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

FA No. 11 of 2021

Vijay Kumar Soni **Versus** Smt. Shanti Soni & Ors.

along-with

FA No. 25 of 2021

Smt. Shanti Devi Samanani & Ors **Versus** Santosh Kumar Soni, Since Died & Ors

20.07.2022	<u>FA No. 11 of 2021</u> Mr. Anand Shukla and Mr. Waqaur Naiyer, Counsel for the appellant. Mr. Ashok Soni, Counsel for respondents No.1, 2, 7 to 10 & 13. Mr. Hemant Gupta, Counsel for respondents No. 22, 23 and 24. Mr. Devesh Verma, GA for the respondent/State. Perusal of the service report shows that respondents No.3, 19, 27 & 28 are still unserved. Learned counsel for the appellant submits that as per the judgment and decree passed by the learned Court below, execution proceeding has been initiated before the Tahsildar, therefore, partition between the parties will further rise to multiplicity of the suit. He referred to the document filed before the Nagar Panchayat, Gaurela. Issue fresh notice to the aforesaid unserved respondents on payment of PF, as per rules. List this case thereafter. In the meanwhile, status quo in respect of the subject property shall be maintained by both the parties till the next date of hearing to avoid multiplicity of the further suits.

FA No. 25 of 2021

Mr. Hemant Gupta, Counsel for the appellants.

Mr. Ashok Soni, Counsel for respondents No.1 (A), 1 (B), 2 to 5 & 8.

Mr. Devesh Verma, GA for the respondent/State.

Perusal of the office report shows that respondents 9, 10, 12, 13 (C), 15, 17 & 18 are reported to be unserved.

Issue fresh notice to the aforesaid respondents on payment of PF, as per rules.

List this case thereafter.

In the meanwhile, status quo in respect of the subject property shall be maintained by both the parties till the next date of hearing to avoid multiplicity of the further suits.

Sd/-

(Goutam Bhaduri)
Judge

Sd/-

(Deepak Kumar Tiwari)
Judge